

REMARKS

Claims 1-3 are all the claims pending in the application. Applicant adds claim 3 by way of this Amendment. Claims 1 and 2 presently stand rejected.

Claims 1 and 2 are rejected under 35 U.S.C. § 112, second paragraph. Applicant amends the claims to correct the antecedency problems.

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by Sekiya (2004/0065165).

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sekiya (2004/0065165) in view of Aldous (3,788,631).

Analysis

Claim 1 is directed to a throttle grip apparatus that includes a throttle grip rotatably mounted on the handlebar of a vehicle, a case adjacent to the throttle grip, a throttle opening angle sensor and an energizing unit.

The throttle opening angle sensor, which is disposed in the case, detects the rotation angle of the throttle grip. The energizing unit energizes the throttle grip in a direction to return to the initial position thereof. The unit includes a spiral spring having one end fixed to the base end portion of the throttle grip and the other end fixed to the case, and the spiral spring is wound up as the throttle grip is rotated from its initial state.

In addition, claim 1 has been amended to clarify that one end of the spiral spring and the other end of the spiral spring are disposed at substantially the same position in an axial direction of the throttle grip. Support for this feature is shown in Fig. 4. This feature is important in

obtaining the hysteresis characteristic, because by having this feature, the spring can have mutual contact portions which provide the frictional resistance therebetween.

In Sekiya, the spiral shape of the spring 43 is completely different from the present invention. As a result, it cannot provide this hysteresis characteristic of the present invention.

Still further, Aldous fails to correct the deficiencies of Sekiya since it is merely directed to a spring but does not teach the structural relationship between the spring and grip apparatus.

In view of the foregoing, claim 1 is patentable over the cited references.

Claim 2 is patentable for at least the same reasons as claim 1, by virtue of its dependency therefrom.

In addition, Applicant adds claim 3 to further define the invention. In particular, paragraph [0023] of the published application specifically describes how the spring is structured in the case 1. This structure is also illustrated in Fig. 4. In particular, one end of the spring is bent and secured to a recessed portion of the tube guide while the other end of the spring is fixed to the bottom surface of the lower portion of the case. This structure further enables the winding of the spring toward the base end side of the tube guide. (See paragraphs [0029-0030] of the published application.)

Sekiya fails to disclose this structure for the spring 43 within the grip apparatus. Moreover, Aldous fails to provide any motivation for modifying the spring in Sekiya to have this structure. Therefore, claim 3 is patentable.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/823,678

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

Date: March 2, 2006

Attorney Docket No.: Q80632